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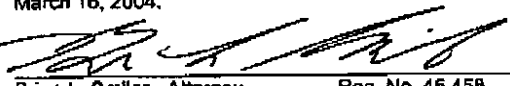
JUN 01 2004

Application of

Applicants : Sturgill et al.
Serial No. : 10/037,576
Filed : January 4, 2002
Title : NON-TOXIC CORROSION-PROTECTION PIGMENTS BASED
ON COBALT
Docket : UVD 0279 PA / 40815.320
Examiner : Manlove, Shalie A.
Art Unit : 1755
Confirmation No. : 6508

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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March 16, 2004.


Brian L. Smiller - Attorney

Reg. No. 46,458

Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

This paper is being filed in response to the Office Action mailed on March 8, 2004. In the Office Action, pursuant to 35 U.S.C. §121, the Examiner initially required restriction between:

Group I (claims 1-74, 101 and 102), said to be drawn to a pigment and method of making, and classified in class 106, subclass 14.05+; and

Group II (claims 75-100 and 103), said to be drawn to a method for treating a surface, and classified in class 427, subclass 500+.

In response to the restriction requirement, applicants hereby elect, without traverse, to have the invention identified by the Examiner as Group I (claims 1-74, 101 and 102) examined on the merits.

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Also in the Office Action, claims 1-74 and 101-102 were said to be generic to a plurality of disclosed patentably distinct species comprising cationic and anionic solubility control agents, as well as organic and inorganic valence stabilizers. Pursuant to 35 U.S.C. §121, the Examiner required applicants to elect a single disclosed species or a single mixture of compounds.

Therefore, responsive to this requirement, applicants provisionally elect, WITH TRAVERSE, claims 1-8, 11-39, 42-63, 66-74 and 101-102 for initial prosecution on the merits. Given that claims 1-74 and 101-102 were said to be generic to a plurality of disclosed patentably distinct species comprising cationic and anionic solubility control agents as well as organic and inorganic valence stabilizers, applicants respectfully traverse the present species election requirement because upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. See 37 CFR §1.141.

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Applicants respectfully submit that the application is in condition for allowance.
The Examiner is encouraged to contact the undersigned to resolve efficiently any
formal matters or to discuss any aspects of the application or of this response.
Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

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